

AMENDED IN ASSEMBLY MARCH 25, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 348

Introduced by Assembly Member Buchanan
(Coauthor: Assembly Member Bonilla)
(Coauthor: Senator DeSaulnier)

February 10, 2011

An act to ~~amend Section 97~~ *add and repeal Section 97.4* of the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 348, as amended, Buchanan. Highways: *Safety Enhancement-Double Fine Zone.*

Existing law requires the Department of Transportation to designate a state highway segment as a Safety Enhancement-Double Fine Zone if specified conditions are met, including that the governing board of the city or county in which the segment is located has by resolution indicated that it supports the designation.

~~This bill would make technical, nonsubstantive changes to that provision.~~

This bill would, notwithstanding these requirements and until January 1, 2017, designate the segment of county highway known as Vasco Road, between the State Highway Route 580 junction in Alameda County and the Walnut Boulevard intersection in Contra Costa County, as a Safety Enhancement-Double Fine Zone upon the approval of the boards of supervisors of Alameda County and Contra Costa County. The bill would also impose specified duties on the department and local governing bodies regarding that double fine zone.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 97.4 is added to the Streets and Highways
2 Code, to read:
3 97.4. (a) Notwithstanding subdivision (a) of Section 97, the
4 segment of county highway known as Vasco Road, between the
5 State Highway Route 580 junction in Alameda County and the
6 Walnut Boulevard intersection in Contra Costa County, shall be
7 designated as the Vasco Road Safety Enhancement-Double Fine
8 Zone upon the approval of resolutions of the Alameda County and
9 Contra Costa County boards of supervisors supporting that
10 designation.
11 (b) Each local governing body in whose jurisdiction a double
12 fine zone is designated by this section shall, prior to the
13 establishment of a double fine zone, do all of the following:
14 (1) Undertake a public awareness campaign to inform the public
15 of the double fine zone designation, where it is located, its purpose,
16 and its consequences.
17 (2) Where appropriate, implement increased traffic safety
18 enhancements, enforcement, and other roadway safety measures
19 in coordination with the establishment of the double fine zone.
20 (c) The Vasco Road Safety Enhancement-Double Fine Zone is
21 subject to the rules and regulations adopted by the department
22 prescribing uniform standards for warning signs to notify motorists
23 that, pursuant to Section 42010 of the Vehicle Code, increased
24 penalties apply for traffic violations that are committed within a
25 Safety Enhancement-Double Fine Zone as authorized under Section
26 97.
27 (d) The department or the local authority having jurisdiction
28 over the Vasco Road Safety Enhancement-Double Fine Zone shall
29 place and maintain the warning signs identifying these segments
30 by stating that a "Special Safety Zone Region Begins Here" and
31 a "Special Safety Zone Ends Here." The department shall adopt
32 rules and regulations for the administration of the Vasco Road
33 Safety Enhancement-Double Fine Zone under this section.
34 (e) The Vasco Road Safety Enhancement-Double Fine Zone
35 does not increase the civil liability of the state or local authority

1 *having jurisdiction over the highway segment under Division 3.6*
2 *(commencing with Section 810) of Title 1 of the Government Code*
3 *or any other law relating to civil liability.*

4 *(f) (1) Only the base fine shall be enhanced pursuant to this*
5 *section.*

6 *(2) Notwithstanding any other law, any additional penalty,*
7 *forfeiture, or assessment imposed by any other statute shall be*
8 *based on the amount of the base fine before enhancement or*
9 *doubling and shall not be based on the amount of the enhanced*
10 *fine imposed pursuant to this section.*

11 *(g) This section shall remain in effect only until January 1, 2017,*
12 *and as of that date is repealed, unless a later enacted statute, that*
13 *is enacted before January 1, 2017, deletes or extends that date.*

14 ~~SECTION 1. Section 97 of the Streets and Highways Code is~~
15 ~~amended to read:~~

16 ~~97. (a) A state highway segment shall be designated by the~~
17 ~~department as a Safety Enhancement-Double Fine Zone if all of~~
18 ~~the following conditions have been satisfied:~~

19 ~~(1) The highway segment is eligible for designation pursuant~~
20 ~~to subdivision (b):~~

21 ~~(2) The Director of Transportation, in consultation with the~~
22 ~~Commissioner of the California Highway Patrol, certifies that the~~
23 ~~segment identified in subdivision (b) meets all of the following~~
24 ~~criteria:~~

25 ~~(A) The highway segment is a conventional highway or~~
26 ~~expressway and is part of the state highway system.~~

27 ~~(B) The rate of total collisions per mile per year on the segment~~
28 ~~under consideration has been at least 1.5 times the statewide~~
29 ~~average for similar roadway types during the most recent three-year~~
30 ~~period for which data are available.~~

31 ~~(C) The rate of head-on collisions per mile per year on the~~
32 ~~segment under consideration has been at least 1.5 times the~~
33 ~~statewide average for similar roadway types during the most recent~~
34 ~~three-year period for which data are available.~~

35 ~~(3) The Department of the California Highway Patrol or local~~
36 ~~agency having traffic enforcement jurisdiction, as the case may~~
37 ~~be, has concurred with the designation.~~

38 ~~(4) The governing board of each city, or county with respect to~~
39 ~~an unincorporated area, in which the segment is located has, by~~
40 ~~resolution, indicated that it supports the designation.~~

~~(5) An active public awareness effort to change driving behavior is ongoing either by the local agency with jurisdiction over the segment or by another state or local entity.~~

~~(6) Other traffic safety enhancements, including, but not limited to, increased enforcement and other roadway safety measures, are in place or are being implemented concurrent with the designation of the Safety Enhancement-Double Fine Zone.~~

~~(b) The following segments are eligible for designation as a Safety Enhancement-Double Fine Zone pursuant to subdivision (a):~~

~~State Highway Route 12 between the State Highway Route 80 junction in Solano County and the State Highway Route 5 junction in San Joaquin County.~~

~~(c) Designation of a segment as a Safety Enhancement-Double Fine Zone by the department pursuant to subdivision (a) shall be done in writing and a written notification shall be provided to the court with jurisdiction over the area in which the highway segment is located. The designation shall be valid for a minimum of two years from the date of submission to the court.~~

~~(d) After the two-year period, and at least every two years thereafter, the department, in consultation with the Department of the California Highway Patrol, shall evaluate whether the highway segment continues to meet the conditions set forth in subdivision (a). If the segment meets those conditions, the department shall renew the designation in which case an updated notification shall be sent to the court. If the department, in consultation with the Department of the California Highway Patrol, determines that any of those conditions no longer apply to a segment designated as a Safety Enhancement-Double Fine Zone under this section, the department shall revoke the designation and the segment shall cease to be a Safety Enhancement-Double Fine Zone.~~

~~(e) A Safety Enhancement-Double Fine Zone is subject to the rules and regulations adopted by the department prescribing uniform standards for warning signs to notify motorists that, pursuant to Section 42010 of the Vehicle Code, increased penalties apply for traffic violations that are committed within a Safety Enhancement-Double Fine Zone.~~

~~(f) (1) The department or the local authority having jurisdiction over these highway and road segments shall place and maintain the warning signs identifying these segments by stating that a~~

1 “Special Safety Zone Region Begins Here” and a “Special Safety
2 Zone Ends Here.”

3 (2) Increased penalties shall apply to violations under Section
4 42010 of the Vehicle Code only if appropriate signage is in place
5 pursuant to this subdivision.

6 (3) If designation as a Safety Enhancement Double Fine Zone
7 is revoked pursuant to subdivision (d), the department shall be
8 responsible for removal of all signage placed pursuant to this
9 subdivision.

10 (g) Safety Enhancement Double Fine Zones do not increase the
11 civil liability of the state or local authority having jurisdiction over
12 the highway segment under Division 3.6 (commencing with Section
13 810) of Title 1 of the Government Code or any other provision of
14 law relating to civil liability.

15 (1) Only the base fine shall be enhanced pursuant to this section.

16 (2) Notwithstanding any other provision of law, any additional
17 penalty, forfeiture, or assessment imposed by any other statute
18 shall be based on the amount of the base fine before enhancement
19 or doubling and shall not be based on the amount of the enhanced
20 fine imposed pursuant to this section.

21 (h) The projects specified as a Safety Enhancement Double
22 Fine Zone shall not be elevated in priority for state funding
23 purposes.

24 (i) The requirements of subdivision (a) shall not apply to the
25 Safety Enhancement Double Fine Zone established prior to the
26 effective date of this subdivision pursuant to Section 97.4 or to the
27 Safety Enhancement Double Fine Zones established pursuant to
28 Section 97.5.

29 (j) The department shall conduct an evaluation of the
30 effectiveness of all double fine zones, except those designated
31 pursuant to Section 97.5, that will terminate the same calendar
32 year and submit its findings in one report to the Assembly
33 Committee on Transportation and the Senate Committee on
34 Transportation and Housing one year prior to the termination of
35 the double fine zones. The report shall include a recommendation
36 on whether the zones should be reauthorized by the Legislature.